

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Grier, Laura A.

Art Unit: 2644

In Re Patent Application of:

Craig M. Janik

Application No.: 09/945,018

Filed: 09/01/2001

For: AUDIO CONVERTER DEVICE AND

METHOD FOR USING THE SAME

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

The undersigned attorney represents that the undersigned attorney is the attorney of record for the above-referenced patent application.

The assignee of the entire right, title, and interest in and to the above-referenced patent application is <u>Simple Devices</u> ("assignee"),

(Name of Assignee)

a <u>Delaware</u> corporation having a place of business at (State of Incorporation)

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(05/01/03)

The terminal part of any patent granted on the above-identified application that would extend beyond the expiration of the full statutory term of United States Patent No. __, entitled _____, and dated _____, 20 ___, as presently shortened by any terminal disclaimer, any patent granted on application number 10/976,458 X is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. _____, any patent granted on application number 10/976,458 this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors, or assigns. No disclaimer is being made as to any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term of United States Patent No. ___, as presently shortened by any terminal disclaimer, any patent granted on application number 10/976,458 X in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Enclosed is a check for \$ 130.00 for the fee under 37 C.F.R. § 1.20(d).

Please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 4/4/03

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